

AGENCY OF NATURAL RESOURCES
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
WATERSHED MANAGEMENT DIVISION
ONE NATIONAL LIFE DRIVE, MAIN BUILDING, 2nd FLOOR
MONTPELIER, VT 05620-3522

Permit No.: 3-1485
PIN: RU96-0280

Name of Applicant: Vishay Sprague Inc.
2813 West Road
Bennington, VT 05201

Expiration Date: June 30, 2023

**PRETREATMENT DISCHARGE PERMIT
SIGNIFICANT INDUSTRIAL USER**

In compliance with the provisions of the Vermont Water Pollution Control Act as amended (10 V.S.A. Chapter 47), the Vermont Water Pollution Control Permit Regulations as amended (Environmental Protection Rules, Chapter 13), and the federal Clean Water Act as amended (33 U.S.C. § 1251 *et seq.*), and implementing federal regulations, the Vishay Sprague Inc. (hereinafter referred to as the "Permittee") is authorized by the Secretary of Natural Resources (Secretary) to discharge from a facility located at:

2813 West Road in Bennington, Vermont

to the Bennington Wastewater Treatment Facility (WWTF) in accordance with the following conditions.

This permit shall become effective on September 1, 2018.

Emily Boedecker, Commissioner
Department of Environmental Conservation

By: Jessica Bulova

Date: August 22, 2018

Jessica Bulova, Wastewater Program Manager
Watershed Management Division

I. SPECIAL CONDITIONS**A. EFFLUENT LIMITS**

1. During the term of this permit, the Permittee is authorized to discharge from outfall serial number S/N 001: process wastewater from electrical capacitor manufacturing to the Bennington WWTF, an effluent for which the characteristics shall not exceed the values listed below:

EFFLUENT CHARACTERISTICS	Discharge Limitations		Monitoring Requirements	
	Monthly Average	Maximum Day	Monthly Average	Weekly Average
Flow		3000 gpd	Continuous	Daily Total
Total Toxic Organics (TTO)		1.37 mg/L	Annually ¹	Grab
pH	Between 5.0-9.5 Standard Units		Continuous	Daily Min/Max

Samples taken in compliance with the TTO monitoring requirements specified above shall be collected at a representative location following pH adjustment and prior to combining with the sanitary wastewater.

¹ Total Toxic Organics (TTO) shall mean the summation of all quantifiable values above the detection limits for the toxic organics listed in 40 CFR Part 469.12(a). In lieu of monitoring for TTO, the following certification statement shall be signed by the permittee and included in each discharge monitoring report:

"Based on my inquiry of the person or persons directly responsible for managing compliance with the pretreatment standard for total toxic organics (TTO), I certify that, to the best of my knowledge and belief, no dumping of concentrated toxic organics into the wastewaters has occurred since filing of the last discharge monitoring report. I further certify that this facility is implementing the solvent management plan submitted to the Vermont Department of Environmental Conservation."

On July 20, 2018, the permittee submitted an updated solvent management plan (with a revision dated 3/21/2018). Submittal and subsequent approval of the Plan fulfill the requirements for the submittal of the certification option.

2. Description of Facility Specific Effluent Requirements

a. Special Conditions

- i. The permittee shall immediately notify the Chief Operator of the Bennington WWTF of any discharge that is known or suspected to violate any of the discharge permit limitations specified in Condition I.A.1 above.
- ii. If the monitoring results indicate that this discharge may interfere with or is otherwise incompatible with the proper operation of the Bennington WWTF or may pass through without treatment and cause a violation of Vermont Water Quality Standards in the receiving water, the Secretary may reopen this permit and modify effluent limitations, monitoring requirements, or other permit conditions as required. The Secretary may also require the cessation of this discharge until such a time as the discharge will not interfere with or cause an adverse effect on the wastewater treatment facility or receiving water.
- iii. In order to use the certification option for TTO compliance, the permittee shall ensure the solvent management plan is up-to-date. The plan shall be updated when any new solvent is employed. Updated plans and Safety Data Sheets (SDS) shall be sent to the Secretary for approval. Plans must include:
 1. The identification of the toxic organics listed in Appendix A which the permittee uses;
 2. The method of disposal; and
 3. The procedures in place for assuring that toxic organics do not routinely spill or leak into the waste stream.

b. General Prohibitions

- i. The Permittee may not introduce into a WWTF any pollutants which cause pass through or interference.

ii. Affirmative Defenses

1. The Permittee shall have an affirmative defense in any action brought against it alleging a violation of the general prohibitions established in paragraph (a)(i) of this section and the specific prohibitions in paragraphs (b)(iii), (b)(iv), (b)(v), (b)(vi), and (b)(vii) of this section where the Permittee can demonstrate that:
 - a. It did not know or have reason to know that its discharge, alone or in conjunction with a discharge or discharges from other sources, would cause pass through or interference; and
 - b. (A) A local limit designed to prevent pass through and/or interference, as the case may be, was developed in accordance with 40 C.F.R. § 403.5(c) for each pollutant in the Permittee's discharge that caused pass through or interference, and the Permittee was in compliance with each such local limit directly prior to and during the pass through or interference; or
(B) If a local limit designed to prevent pass through and/or interference, as

the case may be, had not been developed in accordance with 40 C.F.R. § 403.5(c) for the pollutant(s) that caused the pass through or interference, the Permittee's discharge directly prior to and during the pass through or interference did not change substantially in nature or constituents from the Permittee's prior discharge activity when the WWTF was regularly in compliance with the WWTF's NPDES permit requirements and, in the case of interference, applicable requirements for sewage sludge use or disposal.

c. Specific Prohibitions

In addition, the following pollutants shall not be introduced into a WWTF:

- i. Pollutants which create a fire or explosion hazard in a WWTF, including, but not limited to waste streams with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees Centigrade using the test method specified in 40 C.F.R. § 261.21.;
- ii. Pollutants that will cause corrosive structural damage to the WWTF, but in no case discharges with pH lower than 5.0, unless the works is specifically designed to accommodate such discharges;
- iii. Solid or viscous pollutants in amounts which will cause obstruction to the flow in the WWTF resulting in interference;
- iv. Any pollutant, including oxygen demanding pollutants (BOD, etc.) released in a discharge at a flow rate and/or pollutant concentration which will cause interference with the WWTF;
- v. Heat in amounts which will inhibit biological activity in the WWTF resulting in interference, but in no case heat in such quantities that the temperature at the WWTF treatment plant exceeds 40°C (104 °F) unless the Secretary, upon request of the WWTF, approves alternate temperature limits;
- vi. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through;
- vii. Pollutants which result in the presence of toxic gases, vapors, or fumes within the WWTF in a quantity that may cause acute worker health and safety problems;
- viii. Any trucked or hauled pollutants, except at discharge points designated by the WWTF.

B. REAPPLICATION

If the Permittee desires to continue to discharge after the expiration of this permit, the Permittee shall reapply on the application forms then in use at least 180 days before this permit expires.

Reapply for a Discharge Permit by: December 31, 2022

C. OPERATING FEES

This discharge is subject to operating fees as required by 3 V.S.A. § 2822.

D. MONITORING AND REPORTING

1. Sampling and Analysis

The sampling, preservation, handling, and analytical methods used shall conform to the test procedures in 40 C.F.R. Part 136.

The Permittee shall use sufficiently sensitive test procedures (i.e., methods) approved under 40 C.F.R. Part 136 for the analysis of the pollutants or pollutant parameters specified in Condition I.D. above. Where 40 C.F.R. Part 136 does not include sampling or analytical techniques for the pollutants in question, sampling and analyses shall be performed using validated analytical methods or other sampling and analytical procedures, approved by the Secretary.

Samples shall be representative of the volume and quality of effluent discharged over the sampling and reporting period. All samples are to be taken during normal operating hours. The Permittee shall identify the effluent sampling location used for each discharge.

2. Reporting

The Permittee is required to submit **quarterly reports of monitoring results** on DMR form WR-43. Reports are due on the 15th day of each month, beginning with the month following the issuance date of this permit.

The Permittee shall electronically submit its DMRs via Vermont's on-line electronic reporting system. The Permittee shall electronically submit additional compliance monitoring data and reports specified by the Secretary. When the Permittee submits DMRs using an electronic system designated by the Secretary, it is not required to submit hard copies of DMRs. The link below shall be used for electronic submittals.

<https://anronline.vermont.gov/>

If, in any reporting period, there has been no discharge, the Permittee must submit that information by the report due date.

All reports shall be signed:

- a) In the case of corporations, by a principal executive officer of at least the level of vice president, or his/her duly authorized representative, if such representative is responsible for the overall operation of the facility from which the discharge described in the report originates;
- b) In the case of a partnership, by a general partner;
- c) In the case of a sole proprietorship, by the proprietor; or
- d) In the case of a municipal, State, or other public facility, by either a principal executive officer, ranking elected official, or other duly authorized employee.

In addition to the monitoring and reporting requirements given above, daily monitoring of certain parameters for operational control shall be submitted to the Secretary on the DMR form WR-43. These results must also be sent to the Town of Bennington Wastewater Treatment Facility.

3. Recording of Results

The Permittee shall maintain records of all information resulting from any monitoring activities required, including:

- a) The date, exact place, and time of sampling or measurement;
- b) The individual(s) who performed the sampling or measurements;
- c) The dates and times the analyses were performed;
- d) The individual(s) who performed the analyses;
- e) The analytical techniques and methods used, including sample collection handling and preservation techniques;
- f) The results of such analyses;
- g) The records of monitoring activities and results, including all instrumentation and calibration and maintenance records; and
- h) The original calculation and data bench sheets of the individual who performed analysis of the influent or effluent pursuant to requirements of this permit.
- i) For analyses performed by contract laboratories:
 - a. The detection level reported by the laboratory for each sample; and
 - b. The laboratory analytical report including documentation of the QA/QC and analytical procedures.

The results of monitoring requirements shall be reported (in the units specified) on the DMR form WR-43 or other forms approved by the Secretary.

When “non-detects” are recorded, the method detection limit shall be reported and used in calculating any time-period averaging for reporting on DMRs.

4. Additional Monitoring

If the Permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified above, the

results of such monitoring shall be included in the calculation and reporting of the values required in the DMR form WR-43. Such increased frequency shall also be indicated.

II. GENERAL CONDITIONS

A. MANAGEMENT REQUIREMENTS

1. Facility Modification / Change in Discharge

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant more frequently than, or at a level in excess of, that identified and authorized by this permit shall constitute a violation of the terms and conditions of this permit. Such a violation may result in the imposition of civil and/or criminal penalties pursuant to 10 V.S.A. Chapters 47, 201, and/or 211. Any anticipated facility alterations or expansions or process modifications which will result in new, different, or increased discharges of any pollutants must be reported by submission of a new permit application or, if such changes will not violate the effluent limitations specified in this permit, by notice to the Secretary and the WWTF of such changes. Following such notice, the permit may be modified to specify and limit any pollutants not previously limited.

2. Noncompliance Notification

- a) The Permittee shall give advance notice to the Secretary of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.
- b) The Permittee shall notify the WWTF immediately of all discharges that could cause problems at the WWTF, including slug loadings.
- c) In the event the Permittee is unable to comply with any of the conditions of this permit due, among other reasons, to:
 - i. Breakdown or maintenance of waste treatment equipment (biological and physical-chemical systems including all pipes, transfer pumps, compressors, collection ponds or tanks for the segregation of treated or untreated wastes, ion exchange columns, or carbon absorption units);
 - ii. Accidents caused by human error or negligence;
 - iii. Any unanticipated bypass or upset which exceeds any effluent limitation in the permit;
 - iv. Violation of an effluent limitation for any of the pollutants listed by the Secretary in this permit; or
 - v. Other causes such as acts of nature,

the Permittee shall provide notice as specified in subdivision (d) of this subsection.

- d)** The Permittee shall notify the Secretary within 24 hours of becoming aware of any permit noncompliance and shall provide the Secretary with the following information, in writing, within five days:
 - i.** Cause of non-compliance;
 - ii.** A description of the non-complying discharge, including its impact upon the receiving water, if any;
 - iii.** Anticipated time the condition of non-compliance is expected to continue or, if such condition has been corrected, the duration of the period of non-compliance;
 - iv.** Steps taken by the Permittee to reduce and eliminate the non-complying discharge; and
 - v.** Steps to be taken by the Permittee to prevent recurrence of the condition of non-compliance.

3. Operation and Maintenance

All waste collection, control, treatment, and disposal facilities shall be operated in a manner consistent with the following:

- a)** The Permittee shall, at all times, maintain in good working order and operate as efficiently as possible all treatment and control facilities and systems (and related appurtenances) installed or used by the Permittee to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by the Permittee only when the operation is necessary to achieve compliance with the conditions of this permit.
- b)** The Permittee shall provide an adequate operating staff which is duly qualified to carry out the operation, maintenance, and testing functions required to ensure compliance with the conditions of this permit.

4. Quality Control

The Permittee shall calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at regular intervals to ensure accuracy of measurements, or shall ensure that both activities will be conducted.

The Permittee shall keep records of these activities and shall provide such records upon request of the Secretary.

The Permittee shall demonstrate the accuracy of the effluent flow measurement device weekly and report the results on the **quarterly** report forms. The acceptable limit of error is $\pm 10\%$.

The Permittee shall conduct an annual laboratory proficiency test (via a qualified laboratory) for the analysis of all pollutant parameters performed within their facility laboratory and reported as required by this permit. **Results shall be submitted to the Secretary by December 31, annually. The first of these results are due by December 31, 2019.**

5. Bypass

The bypass of facilities is prohibited, except where authorized under the terms and conditions of an Emergency Pollution Permit issued pursuant to 10 V.S.A. § 1268. It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the activity in order to maintain compliance with the conditions of this permit.

6. Duty to Mitigate

The Permittee shall take all reasonable steps to minimize or prevent any adverse impact to waters of the State, the environment, or human health resulting from non-compliance with any condition specified in this permit, including accelerated or additional monitoring as necessary to determine the nature and impact of the non-complying discharge.

7. Records Retention

All records and information resulting from the monitoring activities required by this permit including all records of analyses performed, all calibration and maintenance of instrumentation records and all original chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit shall be retained for a minimum of three years, and shall be submitted to the Secretary upon request. This period shall be extended during the course of unresolved litigation regarding the discharge of pollutants or when requested by the Secretary or the Regional Administrator.

8. Solids Management

Collected screenings, sludges, and other solids removed in the course of treatment and control of wastewaters shall be stored, treated, and disposed of in accordance with 10 V.S.A. Chapter 159 and with the terms and conditions of any certification, interim or final, transitional operation authorization, or order issued pursuant to 10 V.S.A. Chapter 159 that is in effect on the issuance date of this permit or is issued during the term of this permit.

9. Emergency Pollution Permits

Maintenance activities, or emergencies resulting from equipment failure or malfunction, including power outages, which result in an effluent which exceeds the effluent limitations

specified herein, shall be considered a violation of the conditions of this permit, unless the Permittee's discharge is covered under an emergency pollution permit under the provisions of 10 V.S.A. § 1268. The Permittee shall notify the Secretary of the emergency situation by the next working day unless notice is required sooner under Section II.A.2.

10 V.S.A. § 1268 reads as follows:

When a discharge permit holder finds that pollution abatement facilities require repairs, replacement, or other corrective action in order for them to continue to meet standards specified in the permit, he may apply in the manner specified by the secretary for an emergency pollution permit for a term sufficient to effect repairs, replacements, or other corrective action. The permit may be issued without prior public notice if the nature of the emergency will not provide sufficient time to give notice; provided that the secretary shall give public notice as soon as possible but in any event no later than five days after the effective date of the emergency pollution permit. No emergency pollution permit shall be issued unless the applicant certifies and the secretary finds that:

- (1) there is no present, reasonable alternative means of disposing of the waste other than by discharging it into the waters of the state during the limited period of time of the emergency;
- (2) the denial of an emergency pollution permit would work an extreme hardship upon the applicant;
- (3) the granting of an emergency pollution permit will result in some public benefit;
- (4) the discharge will not be unreasonably harmful to the quality of the receiving waters;
- (5) the cause or reason for the emergency is not due to willful or intended acts or omissions of the applicant.

Application shall be made to the Secretary at the following address: Agency of Natural Resources, Department of Environmental Conservation, One National Life Drive, Main Building, 2nd Floor, Montpelier VT 05620-3522.

10. Power Failure

In order to maintain compliance with the effluent limitations and prohibitions of this permit, the Permittee shall either:

- a) Provide an alternative power source sufficient to operate the wastewater treatment and control facilities, or if such alternative power source is not in existence;
- b) Halt, reduce, or otherwise control production and all discharges upon the reduction, loss, or failure of the primary source of power to the wastewater treatment and control facilities.

B. RESPONSIBILITIES

1. Right of Entry

The Permittee shall allow the Secretary or authorized representative, upon the presentation of proper credentials:

- a) To enter upon the Permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
- b) To have access to and copy, at reasonable times, any records required to be kept under the terms and conditions of this permit;
- c) To inspect, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- d) To sample or monitor, at reasonable times, for the purposes of ensuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

2. Transfer of Ownership or Control

This permit is not transferable without prior written approval of the Secretary. All application and operating fees must be paid in full prior to transfer of this permit. In the event of any change in control or ownership of facilities from which the authorized discharges emanate, the Permittee shall provide a copy of this permit to the succeeding owner or controller and shall send written notification of the change in ownership or control to the Secretary **at least 30 days in advance of the proposed transfer date**. The notice to the Secretary shall include a written agreement between the existing and new Permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them. The Permittee shall also inform the prospective owner or operator of their responsibility to make an application for transfer of this permit.

This request for transfer application must include at a minimum:

- a) The name and address of the present permittee, the name and address of the prospective permittee, and the applicable processing fee.
- b) A written statement from the prospective owner or operator certifying:
 - i. The conditions of the operation that contribute to, or affect, the discharge will not be materially different under the new ownership;
 - ii. The prospective owner or operator has read and is familiar with the terms of the permit and agrees to comply with all terms and conditions of the permit; and

iii. The prospective owner or operator has adequate funding to operate and maintain the treatment system and remain in compliance with the terms and conditions of the permit.

c) The proposed date of transfer.

The Secretary may require additional information dependent upon the current status of the facility operation, maintenance, and permit compliance.

3. Confidentiality

Pursuant to 10 V.S.A. § 1259(b):

Any records or information obtained under this permit program that constitutes trade secrets under 1 V.S.A. § 317(c)(9) shall be kept confidential, except that such records or information may be disclosed to authorized representatives of the State and the United States when relevant to any proceedings under this chapter.

Claims for confidentiality for the following information will be denied:

- a) The name and address of any permit applicant or Permittee.
- b) Permit applications, permits, and effluent data.
- c) Information required by application forms, including information submitted on the forms themselves and any attachments used to supply information required by the forms.

4. Permit Modification, Suspension, and Revocation

After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked in whole or in part during its term for cause including the following:

- a) Violation of any terms or conditions of this permit;
- b) Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts;
or
- c) A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge.

The filing of a request by the Permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance shall not stay any permit condition.

The Permittee shall provide to the Secretary, within a reasonable time, any information which the Secretary may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this

permit. The Permittee shall also furnish to the Secretary upon request, copies of records required to be kept by this permit.

5. Toxic Effluent Standards

If a toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under section 307(a) of the Clean Water Act for a toxic pollutant which is present in the Permittee's discharge and such standard or prohibition is more stringent than any limitation upon such pollutant in this permit, then this permit shall be modified or revoked and reissued in accordance with the toxic effluent standard or prohibition and the Permittee so notified.

6. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of legal action or relieve the Permittee from any responsibilities, liabilities, or penalties to which the Permittee is or may be subject under 10 V.S.A. § 1281.

7. Other Materials

Other materials ordinarily produced or used in the operation of this facility, which have been specifically identified in the application, may be discharged at the maximum frequency and maximum level identified in the application, provided:

- a) They are not:
 - i. Designated as toxic or hazardous under provisions of Sections 307 and 311, respectively, of the Clean Water Act, or
 - ii. Known to be hazardous or toxic by the Permittee, except that such materials indicated in (i) and (ii) above may be discharged in certain limited amounts with the written approval of, and under special conditions established by, the Secretary or his/her designated representative, if the substances will not pose any imminent hazard to the public health or safety;
- b) The discharge of such materials will not violate the Vermont Water Quality Standards; and
- c) The Permittee is not notified by the Secretary to eliminate or reduce the quantity of such materials entering the watercourse.

8. Civil and Criminal Liability

The Permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. Except as provided in "Bypass" (Condition II.A.5), and "Emergency Pollution Permits" (Condition II.A.9), nothing in this permit shall be construed to relieve

the Permittee from civil or criminal penalties for noncompliance. Civil and criminal penalties for non-compliance are provided for in 10 V.S.A. Chapters 47, 201, and 211.

9. State Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the Permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation under authority preserved by Section 510 of the Clean Water Act.

10. Property Rights

Issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations.

11. Other Information

If the Permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Secretary, it shall promptly submit such facts or information.

12. Severability

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

13. Authority

This permit is issued under authority of 10 V.S.A. §§ 1258, 1259, and 1263 of the Vermont Water Pollution Control Act, the Vermont Water Pollution Control Permit Regulation, and Section 402 of the Clean Water Act, as amended.

14. Definitions

For purposes of this permit, the following definitions shall apply.

Agency – means the Vermont Agency of Natural Resources.

Annual Average - means the highest allowable average of daily discharges calculated as the sum of all daily discharges (mg/L, lbs, or gallons) measured during a calendar year divided by the number of daily discharges measured during that year.

Average - means the arithmetic means of values taken at the frequency required for each parameter over the specified period.

Bypass – means the intentional diversion of waste streams from any portion of the treatment facility.

The Clean Water Act - means the federal Clean Water Act, as amended (33 U.S.C. § 1251, *et seq.*).

Composite Sample - means a sample consisting of a minimum of one grab sample per hour collected during a 24-hour period (or lesser period as specified in the section on Monitoring and Reporting) and combined proportionally to flow over that same time period.

Daily Discharge - means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling.

For pollutants with limitations expressed in pounds the daily discharge is calculated as the total pounds of pollutants discharged over the day.

For pollutants with limitations expressed in mg/L the daily discharge is calculated as the average measurement of the pollutant over the day.

Discharge – means the placing, depositing, or emission of any wastes, directly or indirectly, into an injection well or into the waters of the State.

Grab Sample – means an individual sample collected in a period of less than 15 minutes.

Instantaneous Maximum - means a value not to be exceeded in any grab sample.

Interference – means a discharge which alone, or in conjunction with discharge or discharges from other sources, both: (1) inhibits or disrupts the WWTF, its treatment process or operations, or its sludge processes, use or disposal; and (2) therefore is the cause of violation of any requirement of the WWTF's NPDES permit (including an increase in magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent state or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including state regulations contained in any state sludge management plan prepared pursuant to subtitle D of the SWDA), the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act.

Maximum Day (maximum daily discharge limitation) – means the highest allowable “daily discharge” (mg/L, lbs, or gallons).

Mean - is the arithmetic mean.

Monthly Average (average monthly discharge limitation) – means the highest allowable average of daily discharges (mg/L, lbs, or gallons) over a calendar month, calculated as the

sum of all daily discharges (mg/L, lbs, or gallons) measured during a calendar month divided by the number of daily discharges measured during that month.

NPDES – means the National Pollutant Discharge Elimination System.

Pass Through – means a discharge which exits the WWTF into waters of the State in quantities or concentrations which, alone or in conjunction with a discharge from other sources, is a cause of a violation of any requirement of the WWTF's NPDES permit (including an increase in the magnitude or duration of a violation).

Secretary – means the Secretary of the Agency of Natural Resources or the Secretary's duly authorized representative.

Slug Loading – any discharge of nonroutine, episodic nature, including an accidental spill or a noncustomary batch discharge that has a reasonable potential to cause interference or pass through, or in any other way violate the WWTF's regulations, local limits, or permit conditions.

Waste – means effluent, sewage or any substance or material, liquid, gaseous, solid, or radioactive, including heated liquids, whether or not harmful or deleterious to waters.

Waters includes all rivers, streams, creeks, brooks, reservoirs, ponds, lakes, springs, and all bodies of surface waters, artificial or natural, which are contained within, flow through, or border upon the State or any portion of it.

Weekly Average (average weekly discharge limitation) – means the highest allowable average of daily discharges (mg/L, lbs, or gallons) over a calendar week, calculated as the sum of all daily discharges (mg/L, lbs, or gallons) measured during a calendar week divided by the number of daily discharges measured during that week.

WWTF or wastewater treatment facility shall have the same meaning as “pollution abatement facilities,” as defined under 10 V.S.A. § 1251, which means municipal sewage treatment plants, pumping stations, interceptor and outfall sewers, and attendant facilities as prescribed by the Department to abate pollution of the waters of the State.

ATTACHMENT A – Total Toxic Organics

Acenaphthene	Phenol
Acrolein	Bis (2-ethylhexyl) phthalate
Acrylonitrile	Butyl benzyl phthalate
Benzene	Di-n-butyl phthalate
Benzidine	Di-n-octyl phthalate
Carbon tetrachloride (tetrachloromethane)	Diethyl phthalate
Chlorobenzene	Dimethyl phthalate
1,2,4-trichlorobenzene	1,2-benzanthracene
Hexachlorobenzene	(benzo(a)anthracene)
1,2-dichloroethane	Benzo(a)pyrene (3,4-benzopyrene)
1,1,1-trichloroethane	3,4-Benzofluoranthene
Hexachloroethane	(benzo(b)fluoranthene)
1,1-dichloroethane	11,12-benzofluoranthene
1,1,2-trichloroethane	(benzo(k)fluoranthene)
1,1,2,2-tetrachloroethane	Chrysene
Chloroethane	Acenaphthylene
Bis (2-chloroethyl) ether	Anthracene
2-chloroethyl vinyl ether (mixed)	1,12-benzoperylene
2-chloronaphthalene	(benzo(ghi)perylene)
2,4,6-trichlorophenol	Fluorene
Parachlorometa cresol	Phenanthrene
Chloroform (trichloromethane)	1,2,5,6-dibenzanthracene
2-chlorophenol	(dibenzo(a,h)anthracene)
1,2-dichlorobenzene	Indeno (1,2,3-cd) pyrene)
1,3-dichlorobenzene	(2,3-o-phenylene pyrene)
1,4-dichlorobenzene	Pyrene
3,3-dichlorobenzidine	Tetrachloroethylene
1,1-dichloroethylene	Toluene
1,2-trans-dichloroethylene	Trichloroethylene
2,4-dichlorophenol	Vinyl chloride (chloroethylene)
1,2-dichloropropane	Aldrin
1,3-dichloropropylene (1,3-dichloropropene)	Dieldrin
2,4-dimethylphenol	Chlordane (technical mixture and metabolites)
2,4-dinitrotoluene	4,4-DDT
2,6-dinitrotoluene	4,4-DDE (p,p-DDX)
1,2-diphenylhydrazine	4,4-DDD (p,p-TDE)
Ethylbenzene	Alpha-endosulfan
Fluoranthene	Beta-endosulfan
4-chlorophenyl phenyl ether	Endosulfan sulfate
4-bromophenyl phenyl ether	Endrin
Bis (2-chloroisopropyl) ether	Endrin aldehyde
Bis (2-chloroethoxy) methane	Heptachlor
Methylene chloride (dichloromethane)	Heptachlor epoxide
Methyl chloride (chloromethane)	(BHC-hexachlorocyclohexane)
Methyl bromide (bromomethane)	Alpha-BHC
Bromoform (tribromomethane)	Beta-BHC
Dichlorobromomethane	Gamma-BHC
Chlorodibromomethane	Delta-BHC
Hexachlorobutadiene	(PCB-polychlorinated biphenyls)
Hexachlorocyclopentadiene	PCB-1242 (Arochlor 1242)
Isophorone	PCB-1254 (Arochlor 1254)
Naphthalene	PCB-1221 (Arochlor 1221)
Nitrobenzene	PCB-1232 (Arochlor 1232)
2-nitrophenol	PCB-1248 (Arochlor 1248)
4-nitrophenol	PCB-1260 (Arochlor 1260)
2,4-dinitrophenol	PCB-1016 (Arochlor 1016)
4,6-dinitro-o-cresol	Toxaphene
N-nitrosodimethylamine	2,3,7,8-tetrachlorodibenzo-
N-nitrosodiphenylamine	p-dioxin (TCDD)
N-nitrosodi-n-propylamine	
Pentachlorophenol	